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SUPPLEMENT TO

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BANGALORE, THURSDAY, NOVEMBER 18, 1915.

Abstract Proceedings of the Mysore Legislative Council.

The Council met in the Public Offices Buildings, Bangalore, on Saturday, the 2nd October 1915, at 12 noon.

PRESENT.

SIR M. VISVESVARAYA, B.A., L.C.E., M.INST., C.E., K.C.I.E., Dewan (Presiding).

Ex-officio Members.

1. RAJAMANTRAPRAVINA H. V. NANJUNDAYYA, ESQ., M.A., M.L., C.I.E., First Member of Council.
2. M. KANTARAJ URS, ESQ., B.A., C.S.I., Second Member of Council.

Additional Members.

Official.

1. DEWAN BAHADUR J. S. CHAKRAVARTI, ESQ., M.A., F.R.A.S.
2. K. S. DORASWAMI IYER, ESQ.
3. DEWAN BAHADUR C. SRIKANTESVARA AIYAR, ESQ., B.A., B.L.
4. RAO BAHADUR M. SHAMA RAO, ESQ., M.A.
5. P. RAGHAVENDRA RAO, ESQ., B.A., B.L.
6. K. R. SRINIVASIENGAR, ESQ., M.A.
7. D. M. NARASINGA RAO, ESQ., B.A., B.L.
8. C. S. DORASWAMI IYER, ESQ., B.A., B.L.

739 Non-official.

1. Rajasabhabhushana Dewan Bahadur K. P. Puttanna Chetty, Esq.
2. M. Chengiah Chetty, Esq., B.A.
3. M. Venkatakrishnayya, Esq.
4. M. Karnick Krishnamurti Rao, Esq.
5. B. Narasinga Rao, Esq.
6. S. R. Balakrishna Rao, Esq., B.A., LL.B.
7. B. K. Garudachar, Esq.
8. S. Venkatesaiya, Esq., B.A., B.L.
9. B. Venkatashamanna, Esq., B.A., B.L.
10. K. Shankaranarayana Rao, Esq., M.A., B.L.
11. H. Narasinga Rao, Esq.
12. B. V. Ramaswami Chetty, Esq., B.A.
13. Nawab Gulam Ahmed Kalami, Esq.

G. Sreenivasa Iyer, Esq., B.A., M.L. (Secretary).

The Secretary's Report to the Council.

The Secretary reported to the Council that Mr. Nawab Gulam Ahmed Kalami took his seat as additional Member of the Council :—

Questions and Answers.

1. **Mr. M. Chengiah Chetty, B.A., asked.**—Will Government be pleased to direct further investigation in regard to the stench emanating from the refuse water of the Tannery and Distillery, which is allowed to flow into the stream close by, as the stench still continues to vitiate the atmosphere of the surrounding villages and the City Extensions, and also to take early steps to put an end to this nuisance ?

Mr. D. M. Narasinga Rao, B.A., B.L., replied.—The report of the Committee appointed by Government to enquire into the sufficiency of the arrangements already made for abating the nuisance is awaited. The matter will engage the earnest attention of Government as soon as the report is received.

2. **Mr. M. Chengiah Chetty, B.A., asked.**—Will Government be pleased to consider the question of raising the age limit under the Infant Marriage Regulation from 8 to 10 or 11 years with a view to further minimise the number of child marriages and child-widows ?

Rajamantrapravina Mr. H. V. Nanjundayya, M.A., M.L., C.I.E., replied.—Without any legislative interference, girls are generally married now at a much older age than that prescribed, *viz.*, eight years. Government will be prepared to undertake legislation if they receive sufficient indications that the public will view the proposal with favour.

3. **Mr. B. Narasinga Rao, asked.**—Will Government be pleased to lay on the table a statement showing the following particulars for the year 1914-15 and also for the months of July and August 1915 :—

(*a*) the number of arrack shops licensed in the cities of Mysore and Bangalore and near the Cauvery Reservoir Works ;

(*b*) the total rental for each of the shops ;

(*c*) the quantity of arrack supplied to each of the shops from the bonded depots ;

(*d*) the rate per gallon at which arrack is sold to contractors ; and

(*e*) the rate per gallon at which the contractors are bound to sell arrack in their shops ?

Mr. M. Kantaraj Urs, B.A., C.S.I., replied.—A statement * showing the required particulars is placed on the table.

4. Mr. M. Karnick Krishnamurti Rao, asked.—(*a*) Will Government be pleased to state whether the Sub-Registrars are Gazetted Officers and what sort of control is exercised over them by the District Registrars and the Inspector-General of Registration?

(*b*) With a view to exercise efficient control and supervision over these officials, will Government be pleased to consider the advisability of enlarging the powers of the Inspector-General of Registration and of investing him with powers similar to those now exercised by other Provincial Officers over their subordinates?

Rajamantrapravina Mr. H. V. Nanjundayya, M.A., M.L., C.I.E., replied.—(*a*) The Sub-Registrars are not Gazetted Officers in the technical sense of the audit department. The attention of the member is invited to the Registration Regulation and the Rules framed thereunder in regard to the control exercised over them by the Inspector-General of Registration.

(*b*) The existing powers are deemed adequate.

5. Mr. M. Karnick Krishnamurti Rao, asked.—Will Government be pleased to state whose tenders were accepted in the matter of the supply of "Shell Petrol" rubber tyres, etc., for Government motors through the Water-Supply and Stores Division? How many tenders were offered and what were the rates? Was the lowest tender accepted? If not, what were the special grounds for rejecting the same?

Mr. D. M. Narasinga Rao, B.A., B.L., replied.—The tender of Messrs. F. T. Peters & Co., Agents to the Burma Oil Co., for the supply of "Shell Petrol" was accepted. No tenders were invited for the supply of tyres.

Four tenders were received and their rates were as follows, the quotations being required only for six months:—

	Rate. Rs.	a.	p.
(1) The Asiatic Petroleum Company ... ... (If 4,000 gallons were purchased within 12 months)	1	0	3
(2) The Bangalore Automobiles Co.	1	0	3
(3) Messrs. F. T. Peters & Co., Agents to the Burma Oil Co.	1	2	3
(4) The Motor House	1	2	3

The lowest tender could not be accepted as, of the two tenderers whose quotations were the lowest, one required a firm order of 4,000 gallons for 12 months and the other withdrew subsequently.

6. Mr. B. K. Garudachar, asked.—Will Government be pleased to state—

(1) what the rules regulating the grant of remission of land revenue below tanks are;

(2) whether there were any crops below "Hoskote" tank in Bangalore District, and "Badranakere" in Kolar District, during the last two years and what the average yield per acre in annas was under those tanks for the last five years;

(3) whether this state of things required a remission of land revenue; and

(4) whether any remission was actually granted?

Mr. M. Kantaraj Urs, B.A., C.S.I., replied.—(1) Attention is invited to the Government Orders published on pages 343 and 344 of the Revenue Manual.

(2) Yes.

The average yield under the Hoskote tank is reported to be from 5 to 6 annas and under Badranakere, 8 to 16 annas.

(3) No.

(4) No.

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* *Vide* Appendix A.

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7. Mr. H. Narasinga Rao, asked.—Will Government be pleased to state—

(*a*) what the actual annual surplus income is from the Civil Courts in the State;

(*b*) whether it is not too much to debit against this income half the salaries of the Amildars and Assistant Commissioners, and $\frac{3}{8}$th of the salaries of Deputy Commissioners and also portions of the cost of their travelling allowances and of their establishments;

(*c*) whether it is not more reasonable to adopt the rule in force in Madras where, if a Revenue Officer does judicial work, $\frac{1}{5}$th of his salary is debited against the judicial surplus; and

(*d*) whether the adoption of the Madras rule will not leave a handsome surplus for being utilized towards a more efficient judicial administration?

Dewan Bahadur Mr. J. S. Chakravarti, M.A., F.R.A.S., replied.—(*a*) A statement* showing the apparent surplus for five years as calculated from figures given in the Administration Reports is laid on the table.

(*b*) The surplus is only apparent as account should be taken of the charges classified under other heads such as pensions, public works, stationery and printing, stamp department, etc.

(*c*) The apportionment of combined Revenue and Judicial Establishment charges between the two departments is fixed in each Province with reference to actual conditions. In some British Provinces the fraction transferred to Judicial is not less than that in Mysore.

(*d*) Government are not satisfied that the Madras rule is more suitable to Mysore.

8. Mr. H. Narasinga Rao, asked.—(*a*) Will Government be pleased to state why, in suits for the recovery of possession of assessed lands, the jurisdiction of Civil Courts in which such suits are to be instituted, is made to depend upon five times the annual assessment of the land in suit, although the market value of such land may be as high as Rs. 50,000, while in other suits the actual market value of the subject matter in dispute determines such jurisdiction?

(*b*) Is it considered that suits for the recovery of assessed lands are not more important and more complex in their nature than other suits? If not, is there any reason for denying to such suits the benefit of a trial by a superior court?

(*c*) Is it not necessary to amend Section 11 of the Civil Courts Regulation in order to make the market value of assessed lands a criterion for the purpose of determining the jurisdiction of a Court?

Rajamantrapravina Mr. H. V. Nanjundayya, M.A., M.L., C.I.E., replied.—(*a*), (*b*) & (*c*) The suits referred to are comparatively numerous among those filed for possession of immovable property. The determination of jurisdiction on the simple basis of assessment in such cases avoids intricate questions as to jurisdiction with results beneficial to the litigant public as in British India. The proposal involves increase of expenditure on courts and payment of higher fees by litigants. Government do not therefore consider it necessary at present to amend Section 11 of the Civil Courts Regulation as proposed.

9. Mr. S. R. Balakrishna Rao, B.A., LL.B., asked.—Was the attention of Government drawn to the irregularities and unnecessarily heavy prices alleged to have been paid for certain Railway stores, purchased by the State Railway Department, as detailed in the articles headed "Mysore State Railways, Stores Department" in the *Karnataka* in its issues of 5th May 1915, and 9th June 1915? If so, will Government be pleased to state whether any and what steps were taken to prevent the recurrence of such irregularities?

Mr. D. M. Narasinga Rao, B.A., B.L., replied.—Government have perused the articles referred to by the member. Due enquiries were made and they showed that no such irregularities have taken place.

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* Appendix B.

10. Mr. M. Venkatakrishnayya, asked.—Will Government be pleased to revive the practice which obtained for some time prior to 1906, of regularly reporting in the *Mysore Gazette* the judgments *in extenso* in all Revenue and other cases before Government involving questions of law and procedure?

Mr. M. Kantaraj Urs, B.A., C.S.I., replied.—The question will be considered.

11. Mr. M. Venkatakrishnayya, asked.—In view of the fact that the police frequently obtain confessions from accused persons after subjecting them to torture, will Government be pleased to amend the Criminal Procedure Code and the Evidence Act so as to exclude from the record all confessions purporting to have been made by accused persons otherwise than during the trial?

Rajamantrapravina Mr. H. V. Nanjundayya, M.A., M.L., C.I.E., replied.—The statement that police frequently obtain confessions by torture is in the opinion of Government too broad an assumption. The question whether confessions by accused persons should altogether be excluded in criminal trials received full discussion and consideration in British India, and the conclusion was that an alteration in the law was undesirable. Government agree with that view and do not mean to amend the law.

12. Mr. B. Venkatasamanna, B.A., B.L., asked.—(*a*) Will Government be pleased to state whether any uniform rate of payment of Aya in kind to the Totis and Talaris has been fixed for the whole State?

(*b*) If not, what is the standard prevalent in different places?

(*c*) Are Government aware that great hardship is experienced by the Totis and Talaris? and

(*d*) Will they be pleased to commute the payment in kind into one in cash as in the case of potgi?

Mr. M. Kantaraj Urs, B.A., C.S.I., replied.—(*a*) No.

(*b*) Attention is invited to the Notifications of Government on the subject published on pages 208 to 210 of the Mysore Revenue Manual.

(*c*) & (*d*) The question is engaging the consideration of Government.

The Bill further to amend the Mysore Land Revenue Code, 1888.

Rajamantrapravina Mr. H. V. Nanjundayya.—SIR,—With reference to the 3rd item in the Agenda standing in my name I beg to state that the matter is not yet quite ready for discussion and I beg leave to withdraw it.

Dewan.—May be treated as withdrawn.

The Bill further to amend the Mysore Municipal Regulation, 1906.

Mr. M. Kantaraj Urs.—SIR,—This is a short Bill to amend the Mysore Municipal Regulation. It consists of three clauses. It was introduced in Council in November last, read in Council and referred to the Select Committee in February last and the report of the Select Committee along with the Bill was considered and adopted in Council in June last. It has now reached the final stage and I have the honor to move that the Bill to further amend the Mysore Municipal Regulation be now passed.

Rajasabhabhushana Dewan Bahadur Mr. K. P. Puttanna Chetty.—SIR,—The merits of the amendment have already been fully discussed and I think it unnecessary to go over them again. I beg to second the motion.

The motion was put to vote and passed unanimously.

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Bill further to amend the Mysore Civil Courts Regulation, 1883.

Rajamantrapravina Mr. H. V. Nanjundayya. SIR,—I beg to move that the Bill further to amend the Mysore Civil Courts Regulation, 1883, be passed.

The Bill deals only with two items; the first is the substitution of Rs. 100 for Rs. 50 in Section 16 dealing with the jurisdiction of Courts of Small Causes and the other is the substitution of a new section for Section 21, *viz.*,

"Subject to such rules as the Government of Mysore may prescribe in this behalf, the ministerial officers of every Court shall be appointed and may be fined, suspended or removed, by the Judge of that Court."

The reasons for these two alterations have already been discussed in this Council and it only remains for me to move that the Bill be passed.

Mr. C. S. Doraswami Iyer. SIR,—I beg to second the motion.

The motion was put to vote and passed unanimously.

The Bill further to amend the Mysore Mines Regulation, 1906.

Rajamantapravina Mr. H. V. Nanjundayya.—SIR,—The next item refers to the Mysore Mines Regulation. This consists of adding a new section as Section 36A which is as follows:—

"36A. All fines imposed for the breach of any bye-law made under sub-section (2) of Section 35 shall, when recovered, be credited to the funds of the Sanitary Board constituted under sub-section (1) thereof."

Fines to be credited to the funds of the Sanitary Board.

I beg to move that the Bill further to amend the Mysore Mines Regulation, 1906, be passed.

Dewan Bahadur Mr. C. Srikantesvara Aiyar.—SIR.—I beg to second it.

The motion was put to vote and carried. One member voting against it.

A Bill further to Amend the Mysore Land Revenue Code, 1888.

Rajamantrapravina Mr. H V. Nanjundayya.—SIR,—I beg to move that leave be granted to introduce a Bill further to amend the Mysore Land Revenue Code, 1888.

The Bill consists of the amendment of a single section, namely Section 54.

The paramountcy of Land Revenue as a charge on the holding has been enunciated in Section 54 of the Mysore Land Revenue Code, 1888, which is an almost exact reproduction of Section 56 of the Bombay Code as it stood before it was amended in 1901.

In Balaji Rao *alias* Balakrishna Rao *vs.* Sitaramaiya (18, M. C. C. R., 76) the Mysore Chief Court held that a forfeiture under Section 54, while no doubt operating as a resumption of the holding as between the defaulter and Government, does not, unless followed by a sale, extinguish the rights and equities subsisting as between private persons.

In the light of this interpretation by the highest tribunal in the State, under Section 54 as it now stands, it would be open to claimants to prior rights and equities not only to enter on resumed lands, but also to dispute the title of subsequent occupants. It is therefore necessary both in the interest of the public revenue and to afford protection to subsequent interests in land, to amend Section 54.

In Bombay this was effected by providing that the disposal of the forfeited occupancy, whether by sale or otherwise, should, unless the Collector otherwise directed, be deemed free from all previous rights and equities, except those arising in favour of Government. The Collector is, under this provision, vested with a salutary discretion which can be exercised to prevent fraud.

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It is therefore considered desirable to amend Section 54 of the Mysore Land Revenue Code, 1888, on the lines of Section 56 of the Bombay Land Revenue Code.

We have made only one alteration, namely, in respect of previous encumbrances that is, that when the occupancy is retransferred to the original occupant, he will not be able to get rid of the previous encumbrances in this manner, a limitation which is necessary in fairness and equity. It must be so in fairness and equity.

The section when amended, will read as follows :—

Land Revenue a paramount charge on land.

"54. Arrears of land revenue due on account of land by any landholder shall be a paramount charge on the holding and every part thereof, failure in payment of which shall make the occupancy or alienated holding, together with all rights of the occupant or holder over all trees, crops, buildings and things attached to the land, or permanently fastened to any thing attached to the land, liable to forfeiture, whereupon the Deputy Commissioner may levy all sums in arrear by sale of the occupancy or alienated holding, or may otherwise dispose of such occupancy or alienated holding under rules or orders made in this behalf under Section 233, and such occupancy or alienated holding when disposed of, whether by sale as aforesaid, or by transfer to another person or otherwise howsoever, except by restoration to the defaulter, shall, unless the Deputy Commissioner otherwise directs, be deemed to be freed from all tenures, rights, incumbrances and equities theretofore created in favour of any person other than Government in respect of such occupancy or holding."

Mr. K. R. Srinivasaiengar.—SIR,—I second it.

The motion was put to vote and carried unanimously.

The Bill to amend the Mysore Land Acquisition Regulation, 1894.

Rajamantrapravina Mr. H. V. Nanjundayya.—SIR,—The next item refers to the Mysore Land Acquisition Regulation. In this Regulation, the term "Deputy Commissioner" is defined as the "Deputy Commissioner of the District or some officer who is appointed to carry out the functions of a Deputy Commissioner." It happens in many cases that when lands, however small the extent and value thereof may be, have to be acquired, it becomes necessary that a Deputy Commissioner himself should take all the steps necessary or another officer has to be specially appointed by a notification in the Gazette as Deputy Commissioner for the purpose. This procedure is quite unnecessary and disproportionate to the importance of the case.

It is therefore proposed to amend the definition of Deputy Commissioner in sub-section (*c*) of Section 3.

The amended section will then read as follows :—

Amendment of sub-section (c) *of Section 3.*—In sub-section (*c*) of Section 3 of the Regulation the words "or an Assistant Commissioner in charge of a Revenue Sub-Division" shall be inserted after the words "of a district."

I beg that leave be granted to introduce this Bill.

Mr. K. R. Srinivasiengar.— SIR,—I second the motion.

Rajasabhabhushana Dewan Bahadur Mr. K. P. Puttanna Chetty.—SIR,—Is it proposed by the amendment to give the power to the Vice-Presidents in the Municipalities of Bangalore and Mysore?

Rajamantrapravina Mr. H. V. Nanjundayya.—SIR,—The amendment is not wide enough to extend to them.

Rajasabhabhushana Dewan Bahadur Mr. K. P. Puttanna Chetty.—SIR,—The Regulation will then have to be amended in this respect.

The motion was put to vote and carried unanimously.

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A Bill further to amend the Mysore Stamp Regulation, 1900.

Rajamantrapravina Mr. H. V. Nanjundayya.—Sir,—I beg leave to introduce a Bill further to amend the Mysore Stamp Regulation, 1900.

The duties which are leviable on bills of exchange and promissory notes were recently increased in British India by Act VI of 1910 as amended by Act I of 1912, and are now about 50 per cent more than what they are here. Government intend to introduce Hundi Stamp paper into Mysore and take this opportunity to bring the scale of duty into conformity with that prevailing in British India. The Bill has been prepared on the lines of the British Indian Act, I of 1912.

The Schedule as revised will stand as follows :—

		If drawn singly	If drawn in set of two, for each part of the set	If drawn in set of three for each part of the set
		Rs. a. p.	Rs. a. p.	Rs. a. p.
12. (*b*) Where payable otherwise than on demand but not more than one year after date or sight.		...	...	...
	Rs.			
If the amount of the bill or note does not exceed	200	0 3 0	0 2 0	0 1 0
If it exceeds Rs. 200 and does not exceed	400	0 6 0	0 3 0	0 2 0
Do 400 do ...	600	0 9 0	0 5 0	0 3 0
Do 600 do ...	800	0 12 0	0 6 0	0 4 0
Do 800 do ...	1,000	0 15 0	0 8 0	0 5 0
Do 1,000 do ...	1,200	1 2 0	0 9 0	0 6 0
Do 1,200 do ...	1,600	1 8 0	0 12 0	0 8 0
Do 1,600 do ...	2,500	2 4 0	1 2 0	0 12 0
Do 2,500 do ...	5,000	4 8 0	2 4 0	1 8 0
Do 5,000 do ...	7,500	6 12 0	3 6 0	2 4 0
Do 7,500 do ...	10,000	9 0 0	4 8 0	3 0 0
Do 10,000 do ...	15,000	13 8 0	6 12 0	4 8 0
Do 15,000 do ...	20,000	18 0 0	9 0 0	6 0 0
Do 20,000 do ...	25,000	22 8 0	11 4 0	7 8 0
Do 25,000 do ...	30,000	27 0 0	13 8 0	9 0 0
and for every additional 10,000 or part thereof in excess of 30,000		9 0 0	4 8 0	3 0 0

Dewan Bahadur Mr. J. S. Chakravarti.—Sir,—I beg to second the motion. In matters affecting trade as indeed in all other matters in which there should be full and free intercourse between Mysore and British India it is desirable that the procedure, rates and practices should be the same as far as possible. It is not of course necessary that there should be complete agreement under all circumstances. If any important object is achieved by maintaining a difference, a difference would be justifiable. In this particular case however no such object is gained by maintaining in Mysore rates different from those in British India. The documents stamped in British India are current in this State and those in this State are current in British India. The only result of maintaining a difference in the rates under these circumstances would be to confuse men engaged in trade and business of various kinds, between Mysore and British India and make them liable to occasional mistakes which will be always vexatious and some times embarrassing. There is indeed no object in continuing this difference. It is therefore proposed to make our rates of Stamp duty on Bills of exchange and similar other documents the same as those now in force in British India. The motion is therefore such as should commend itself to the members of this Council and I have no doubt that it will find support.

Mr. S. R. Balakrishna Rao.—Sir,—If the proposal is made with a view to increase the revenue, then I consider that the proposed addition of 50% will not

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add materially to the stamp revenue. The increase on each document will be only a few annas and the aggregate revenue will increase only by a few rupees per year. As the documents stamped in British India have to be re-stamped in Mysore to gain currency here, I don't see any necessity for a uniformity of rates in Mysore and British India.

Rajamantrapravina, Mr. H. V. Nanjundayya.—Sir, —No. It is not so. The documents need not be re-stamped in Mysore.

As Mr. Balakrishna Rao said, the measure is not likely to bring in much extra revenue to the State; on the other hand, the burden of the increased duty on the subject will be also insignificant. As Mr. Chakravarti pointed out, there is no end gained in keeping a difference in rates between this State and British India.

I therefore think that permission may be granted without any hesitation.

The motion was put to vote and carried unanimously.

The Indian Soldiers Litigation Bill.

Rajamantrapravina Mr. H. V. Nanjundayya. —Sir,—We have an Emergency Regulation referring to the Indian Soldiers serving under war conditions. When soldiers are absent on war service outside, there may be litigation about their estates. In order to protect their interests, an Ordinance was first drafted and recently it has been converted into an Act in British India. We wish to adopt the same Act here with the necessary changes. With that object, it is proposed to place before you the following Bill.

"Whereas it is expedient to enforce in Mysore the provisions of the Indian Soldiers (Litigation) Act, 1915; His Highness the Maharaja is pleased to enact as follows:—

1. The Indian Soldiers (Litigation) Act, XII of 1915, shall, *mutatis mutandis*, be enforced in Mysore.

2. It shall also apply to all the members of the Mysore Military Forces (as defined in the Code of Civil Procedure, 1911,) on active service in the same way, and to the same extent, as in the case of an Indian Soldier.

3. The Indian Soldiers Litigation (Emergency) Regulation, V of 1915, is hereby repealed."

I therefore beg leave to introduce the Bill in this Council.

Mr. C. S. Doraswami Iyer.—Sir,—I beg to second the motion.

As the members are aware, all Emergency Ordinances, that were current till now, had application only for a definite period of time, beyond which they had no application. The present Regulation will be in force only up to 3rd December 1915.

No more comments are necessary for settling this question and I beg to second the motion.

The motion was put to vote and carried unanimously.

Rajamantrapravina Mr. H. V. Nanjundayya.—Sir, —I beg to move that the ordinary rules be suspended so as to permit of this Bill being taken into consideration and passed.

I take this opportunity to show that the Bill is not a very complicated one. It refers to the Indian Soldiers (Litigation) Act.

The object of the Bill is merely to put off proceedings so as to enable these soldiers to be properly represented in Courts.

Mr. C. S. Doraswami Iyer.—Sir,—I second it.

The motion was put to vote and passed unanimously.

Rajamantrapravina Mr. H. V. Nanjundayya.—Sir,—I beg to move that the Bill be taken into consideration and passed.

Mr. C. S. Doraswami Iyer.—Sir,—I second it.

The motion was put to vote and passed unanimously.

797 The Mysore Lunacy Bill.

Rajamantrapravina Mr. H. V. Nanjundayya.—Sir, –I beg to present the following report of the Select Committee of this Council on the Mysore Lunacy Bill.

"We have examined the provisions of the Bill carefully and have made the following amendments :—

Clauses 11, 29, 30, 33 and 59 and Schedule I.—As necessary action can be taken under clauses 71 and 72 of the Bill to give effect to the present arrangement with the Civil and Military Station authorities to receive their lunatics, civil as well as military, into the Lunatic Asylum, clause 11 has been omitted. Consequent on this omission clause 59, sub-clauses (2) and (3) of clause 30 and the words "in the case of a person detained under a reception order under Section 11, or" in the proviso to clause 29, "and of European Military Lunatics" in the marginal note, "under the provisions of sub-section (1)" in the proviso to sub-clause (1) of clause 30 and "or a lunatic in respect of whom a reception order has been made under section [12] 11" in the proviso to clause 33 and form No. 4 in Schedule I, have been omitted.

Clauses 18, 19, 22, 23 and 64.—As the Bill contemplates only one asylum the words "or in the asylum to which he may be removed in accordance with the provisions of this Regulation" in clause 18, "into which such lunatic is to be admitted" in clause 19 and "which is prescribed for the reception of criminal lunatics" in clause 22 and paragraph (*e*) of sub-clause (1) of clause 64 have also been omitted and the word "the" substituted for the word "such" in clauses 22 and 33.

Clause 53.—The word "authorised" has been substituted for the words "enumerated from time to time" and the words "by means of a notification published in the official gazette" have been omitted in clause 53.

Clause 61.—As there is now no local authority liable for the cost of maintaining any lunatic, the words "or any local authority liable for the cost of maintenance of such lunatic under any law for the time being in force" have been omitted.

Clause 71.—The word "authority" has been substituted for the word "tribunal" in clause 71.

Clause 72.—The word "regarding" has been substituted for the words "regulating the procedure for" in clause 72.

Clause 73.—Sub-clause (1) of clause 73 has been omitted.

The other changes are merely of a consequential or verbal nature.

We recommend that the Bill as amended by us be passed into law.

As the Bill has not been materially altered, we think it is unnecessary to republish the same, as amended by us, in the Gazette."

You will see that the only important alterations made are—

(i) The omission of clause 11, as the reception of these lunatics will be regulated by agreement with the Civil and Military Station authorities under another provision of the bill and

(ii) In the British Indian Act, there are certain clauses for distinguishing the Asylum for particular lunatics. But in Mysore, it is not necessary to have these separate clauses, as we are to have only one Lunatic Asylum.

There are no other material alterations and most of the provisions of the British Act are kept as they are.

I therefore beg to move that the report of the Select Committee and the Bill to consolidate and amend the law relating to Lunacy be considered in Council.

Mr. C. S. Doraswami Iyer.—Sir,—I beg to second it.

The reasons which the members of the Select Committee had for a few alterations proposed by them have been explained by the learned mover and I have very little to add to them.

The motion was put to vote and passed.

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Rajamantrapravina Mr. H. V. Nanjundayya.—Sir,—I beg to move that the Bill as amended be taken up and passed at a subsequent meeting of the Council.

Mr. C. S. Doraswami Iyer.—Sir,—I second it.

The motion was put to vote and passed unanimously.

The Meeting was adjourned *sine die*.

By Order,

G. Sreenivasa Iyer,
Secretary, Mysore Legislative Council.